

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3

4 NATHAN WHEELER,

5 Plaintiff,

6 v.

7 WASHOE COUNTY COURT,

8 Defendant.

Case No. 3:19-cv-0372-MMD-CLB

REPORT AND RECOMMENDATION
OF U.S. MAGISTRATE JUDGE¹

9 **I. DISCUSSION**

10 On July 3, 2019, Plaintiff submitted an *in forma pauperis* (“IFP”) application, but he
11 did not include a complaint. (ECF No. 1.) Thus, on March 11, 2020, the court gave
12 Plaintiff thirty (30) days to submit a complaint. (ECF No. 3.) The minute order was
13 returned as undeliverable. (ECF No. 4.) On April 9, 2020, the court instructed Plaintiff to
14 update his address and submit a complaint to the court for its review by April 22, 2020.
15 (ECF No. 5.) Plaintiff has not complied with this court’s orders, as he has not submitted
16 a complaint or updated his address. Accordingly, the court recommends that Plaintiff’s
17 IFP application (ECF No. 1) be denied, and this action be dismissed without prejudice,
18 for Plaintiff’s failure to comply with this court’s orders to file an updated address and a
19 complaint with the court.
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21 The parties are advised:

22 1. Pursuant to 28 U.S.C § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules of
23 Practice, the parties may file specific written objections to this report and recommendation
24 within fourteen days of receipt. These objections should be entitled “Objections to
25 Magistrate Judge’s Report and Recommendation” and should be accompanied by points
26

27 ¹ This Report and Recommendation is made to the Honorable Miranda M. Du, United
28 States District Judge. The action was referred to the undersigned Magistrate Judge
pursuant to 28 U.S.C. § 636(b)(1)(B) and the Local Rules of Practice IB 1-4.

1 and authorities for consideration by the District Court.

2 2. This report and recommendation is not an appealable order and any notice
3 of appeal pursuant to Fed. R. App. P. 4(a)(1) should not be filed until entry of the District
4 Court's judgment.

5 **II. RECOMMENDATION**

6 For the reason stated above, the court recommends that the District Court enter
7 an order **DENYING** the motion to proceed *in forma pauperis* (ECF No. 1) and
8 **DISMISSING** this action without prejudice.

9 **DATED:** April 28, 2020.

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11 **UNITED STATES MAGISTRATE JUDGE**
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